



CANNON BUILDING  
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**STATE OF DELAWARE**  
**COUNCIL ON REAL ESTATE APPRAISERS**

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PUBLIC MEETING MINUTES:	<b>COUNCIL ON REAL ESTATE APPRAISERS</b>
MEETING DATE AND TIME:	<b>Tuesday, July 15, 2014 at 9:30 a.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , 2nd floor of the Cannon Building
MINUTES APPROVED:	<b>September 16, 2014</b>

**Members Present**

Georgianna Trietley, Chair, Professional Member  
Lynn Baker, Professional Member, Vice Chair  
Ronald Mandato, Professional Member  
Douglas Nickel, Professional Member  
Frank Long, Public Member

**Division Staff/Deputy Attorney General**

Kevin Maloney, Deputy Attorney General  
Amanda McAtee, Administrative Specialist II

**Members Absent**

None

**Public Present**

Earl Loomis  
Beverly Wilson  
Brad Levering

**Call to Order**

Ms. Trietley called the meeting to order at 9:32 a.m.

**Review and Approval of Minutes**

June 17, 2014

The Council reviewed the minutes from the June 17, 2014. Mr. Nickel made a motion, seconded by Mr. Mandato, to approve the minutes as submitted. By unanimous vote, the motion carried.

**Unfinished Business**

Status of Complaints

None

#### Continued Discussion and Consideration of Temporary Practice Permit Regulations

Mr. Nickel stated that Maryland did not have a restriction and that his concern was when an individual came to the Council more than five times a year when was it no longer temporary practice. Ms. Trietley stated that she agreed with Mr. Nickel. Mr. Mandato stated that someone that came to Delaware to work in temporary capacity more than seven times was paying more than it would cost for a license. Mr. Maloney stated that rule 5.1 stated, "The Division of Professional Regulation may grant temporary licensing or certification privileges to an appraiser licensed or certified in another state in accordance with 24 Del.C. §4010." Mr. Maloney stated that the statute would have to be changed since there was not a limit stated in the statute at §4010. Mr. Mandato questioned if the Council could mandate the Delaware Rules and Regulations course for temporary applicants. Ms. McAtee stated that she did not believe that the Council could put additional stipulations on a temporary permit applicant and that the Division had five days to issue a temporary permit once the application was received. Mr. Nickel stated that the Council should keep the topic in mind once there is another statutory change.

#### Review and Deliberation Council Orders

Dennis Blevins

John B. Simpson

The Council signed the orders of Dennis Blevins and John B. Simpson.

#### Update from March 28, 2014 Special Meeting Regarding Review of Andrew Smith

Ms. McAtee stated that she anticipated appointments would be made to the Council during the August break and she would be sending out a notice of hearing to Mr. Smith to schedule the appeal hearing for the September 16, 2014 meeting.

#### **New Business**

New Complaints

None

#### Ratification of Issued Licenses

Mr. Mandato made a motion, seconded by Mr. Long, to ratify the list of licenses issued below. The motion carried unanimously.

Berti, Anthony C., CRRPA  
Boston, James T., Appraiser Trainee  
Espada, Nicole M., Appraiser Trainee  
Barnes, William Sanford, Temporary Practice Permit  
Michel, Eric D., Temporary Practice Permit  
McFatter, Clarence G., Temporary Practice Permit  
Willing, Kelly R., Certified Assessor  
CoreLogic Collateral Solutions, LLC, Appraisal Management Company  
ClearCapital.com, Inc., Appraisal Management Company  
Speedy Title & Appraisal Review Services LLC., Appraisal Management Company  
ACT Appraisal, Inc., Appraisal Management Company  
E Street Appraisal Management LLC., Appraisal Management Company  
Murcor Inc., Appraisal Management Company  
Solidifi US Inc., Appraisal Management Company

Powerlink Valuations, LLC., Appraisal Management Company  
Valuation Information Technology, LLC., Appraisal Management Company  
Bissell, Charles A., Temporary Practice Permit  
Chandler, Brian Lee, Temporary Practice Permit  
Levi, Samuel, Temporary Practice Permit  
Valuation Information Technology, LLC, Appraisal Management Company  
Southwest Financial Services, Ltd., Appraisal Management Company  
Pendo Management, LLC, Appraisal Management Company  
Broad Street Valuations, Inc., Appraisal Management Company

Review of Application for Certified Assessor

None

Review of Application for Examination

None

Review of Application for Re-examination

None

Review of Application for Exemption

None

Review of Application for Reciprocity

None

Review of Hearing Officer Recommendations

Charles R. Moore

The Council reviewed the hearing officer recommendation of Mr. Moore. After review and discussion, Mr. Nickel made a motion, seconded by Mr. Baker to accept and approve the hearing officer recommendation of Charles R. Moore as presented. The motion carried unanimously.

Frank Kromka

The Council reviewed the hearing officer recommendation of Mr. Kromka. After review and discussion, Mr. Long made a motion, seconded by Mr. Nickel to accept and approve the hearing officer recommendation of Frank Kromka as presented. The motion carried unanimously.

Frederick S. Lewis III

The Council reviewed the hearing officer recommendation of Mr. Lewis. After review and discussion, Mr. Baker made a motion, seconded by Mr. Long to accept and approve the hearing officer recommendation of Frederick S. Lewis III as presented. The motion carried unanimously.

Elizabeth S. Kettermann

The Council reviewed the hearing officer recommendation of Ms. Kettermann. After review and discussion, Mr. Baker made a motion, seconded by Mr. Long to accept and approve the hearing officer recommendation of Elizabeth S. Kettermann as presented. The motion carried unanimously.

#### Review and Deliberation of Consent Agreements

##### Joseph Napoletano, 19-13-11

Mr. Nickel and Ms. Trietley felt that the disciplinary measures in the proposed consent agreement were not strong enough penalties for the violation. Mr. Nickel stated that the voluntary disciplinary action matrix from the Appraisal Subcommittee (ASC) gave guidelines for discipline and the proposed discipline in the consent agreement was outside of the ASC's discipline guidelines found in the matrix. Mr. Nickel stated that the violation in the consent agreement was a level four violation according to the matrix and the recommended discipline for a level four violation sanction included a formal letter of reprimand, remedial continuing education, license suspension, monetary fine, and/or downgrade of credential. Mr. Mandato stated that the discipline matrix was recommended discipline from the ASC.

After discussion, Mr. Nickel made a motion, seconded by Mr. Mandato, to reject the proposed consent agreement for Joseph Napoletano and recommended that Mr. Napoletano received a formal reprimand, a monetary fine in the amount of \$500, remedial continuing education courses for at least 15 additional hours in the areas of ethics and professional standards, and a three month license suspension. The motion carried unanimously.

Mr. Maloney stated that he would contact the Attorney General's office and relay the Council's rejection and discipline suggestions for Mr. Napoletano.

##### Lillias Brady, 19-09-12 & 19-07-13

Ms. McAtee stated that Mr. Mandato was the contact person on complaint numbers 19-09-12 and 19-07-13. Ms. McAtee stated that the Council would lose quorum once Mr. Mandato was recused. Mr. Maloney agreed and stated that the consent agreement had to be tabled since there was zero possibility that the Council could obtain five affirmative votes on the complaint once Mr. Mandato had been recused from vote.

#### Review of Application for Temporary Practice Permit

None

#### Review of Experience Log

##### Richard A. Foley

Mr. Nickel stated that he reviewed the work product the Mr. Foley had submitted and found it to be USPAP compliant.

#### Discussion and Review of Checklist for Appraiser Trainee Form

Ms. McAtee stated that a *Checklist for Appraiser Trainee Form* was on the website and she did not have a statute or regulation section to tie it back to and questioned if the Council intended for the form to be required for a trainee to complete. Mr. Mandato questioned why the form was on the website since everything on it was already covered in the trainee log. Ms. McAtee stated that she did not know and that was why she brought it to Council. After discussion, Mr. Mandato made a motion, seconded by Mr. Nickel, to remove the form from the website. The motion carried unanimously.

#### Approval of Continuing Education Activities

After review, Mr. Nickel made a motion, seconded by Mr. Mandato, to approve the continuing education in the listing below. The motion carried unanimously.

Appraisal Institute – Quantitative Analysis - Synchronous – 35QE/32CE (classroom)  
National Highway Institute – Appraisal for Federal-Aid highway Programs – 12 CE (classroom)  
Allterra Group – Practical Guide to Appraisal Review – 7 CE (online)

#### Discussion of Meeting Date for January 2015 – ASC Review

Ms. McAtee stated that the ASC was scheduling their biannual audit and wanted to know if Council could move their Tuesday, January 20, 2015 meeting to Wednesday, January 21, 2015 so the meeting would take place at the end of their audit. The Council agreed with the date change. Ms. McAtee stated that she would advise the ASC of the date change.

#### Council's 20th Annual Seminar – Proposed Date of October 21, 2014

Ms. McAtee stated that she wanted to confirm with the Council the proposed seminar date of October 21, 2014. The Council confirmed the annual seminar date. Ms. McAtee stated that she would put the information on the Division's website and send out registration forms to licensees.

#### Thomas A. Bowers Exam Extension Request

Ms. McAtee stated the Mr. Bowers requested a second extension and the Council had already granted a six month extension at the January 21, 2014 meeting. Ms. McAtee added that the application was over two years old. After discussion, Mr. Baker made a motion, seconded by Mr. Long to deny the extension request and Mr. Bowers would have to reapply to upgrade to certified general. The motion carried unanimously.

#### Correspondence

None

#### **Other Business before the Council (for discussion only)**

Mr. Nickel stated that at the last Council meeting Ms. Bernhardt stated that the state she came from allowed CE credit for attending meetings. Mr. Maloney stated that he was familiar with this in other boards that he worked with and they gave credit for licensees attending a Council meeting. Mr. Nickel stated that Council should consider it and licensees that attended could possibly get one hour per meeting.

### **Public Comment**

Ms. Wilson stated that at a past meeting she stated that she wanted to post the Council vacancies and there did not seem to be a readily source of vacancies. Mr. Trietley stated that there was a list of Council members and vacancies on the website. Ms. McAtee stated that the statute defined the makeup of the Council and Mr. Nickel read the part of the statute that explained the Council make up. Ms. McAtee stated that anyone could complete and submit an application to serve on the Council from the Division's website. Ms. McAtee stated that vacancies were not advertised because it was not a function of the Division but was a function of the Governor's office.

Mr. Loomis questioned what information a letter of reprimand contained. Mr. Maloney stated that it restated what the violation was and that the letter of reprimand would remain on the licensee's permanent file.

Mr. Levering stated that Council should consider give credit to appraisers that attend Council meetings. Ms. Trietley stated that the Council was considering that. Mr. Levering stated that he was on Council for six years and it was an honor and a privilege to serve.

### **Next Meeting**

The next meeting is scheduled for September 16, 2014 at 9:30 a.m. in Conference Room A second floor, Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

### **Adjournment**

Mr. Nickel made a motion, seconded by Mr. Mandato, to adjourn the meeting. There being no further business before the Council, the meeting adjourned at 11:23 a.m. The motion carried unanimously.

Respectfully submitted,



Amanda McAtee  
Administrative Specialist II

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Council members and the public in supplementing their personal notes and recall for presentations*